

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2007-006306-001 DT

11/03/2008

HON. SILVIA R. ARELLANO

CLERK OF THE COURT
E. Campo
Deputy

STATE OF ARIZONA

AARON HARDER
THOMAS MCDERMOTT

v.

TROY MATTHEW HULL (001)

MARVIN L DAVIS

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY SIX

State's Attorney:	Aaron Harder and Thomas McDermott
Defendant's Attorney:	Marvin Davis
Defendant:	Present
Court Reporter:	Luz Franco

Trial to jury continues from 10/30/2008.

The jury is present.

Closing arguments.

The jury is instructed by the Court as to the law applicable to this cause.

FILED: Final Instructions of Law.

The alternate jurors are designated by lot and excused from further consideration of this cause.

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2:40 p.m. The jury retires in charge of sworn bailiffs to consider their verdicts; Court remains in session.

Aggravation phase instructions are discussed and settled.

2:43 p.m. Court recesses.

3:50 p.m. Court reconvenes with respective counsel and Defendant present.

Court reporter, Luz Franco, is present.

The jurors are all present in the jury box and by their Foreperson return into Court their verdicts, which are read and recorded by the Clerk and is as follows:

“We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find the Defendant, Troy Matthew Hull, as to Count 1:

Guilty of Manslaughter

We further find the offense to be dangerous

Foreperson.”

“We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find the Defendant, Troy Matthew Hull, as to Count 2:

Guilty of Endangerment – Imminent Death

We further find the offense to be dangerous

Foreperson.”

The jurors reply that these are their true verdicts.

The jury is polled at the request of counsel for the Defendant. Each juror replies that these are his/her true verdicts.

FILED: Verdicts.

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AGGRAVATION PHASE:

The jury is instructed by the Court as to the law applicable to the aggravating factors.

FILED: Aggravation Phase Instructions of Law.

State's witness John Frank is sworn and testifies.

The witness is excused.

State presents closing argument on aggravation.

Defendant waives closing argument on aggravation.

4:06 p.m. The jury retires in charge of sworn bailiffs to consider their verdict; Court remains in session.

IT IS ORDERED entering Judgment of Guilt for Counts 1 and 2.

IT IS FURTHER ORDERED setting time for Status Conference re: Sentencing on 12/19/2008 at 8:30 a.m. in this division.

IT IS FURTHER ORDERED setting Mitigation Hearing / Sentencing on 01/23/2009 at 1:30 p.m. in this division.

IT IS FURTHER ORDERED that the Adult Probation Office shall conduct a presentence investigation and submit a report to this division no later than 12/19/2008.

ISSUED: Request for Presentence Report.

Defense counsel makes an oral motion for an appellate bond to be set.

IT IS ORDERED denying the motion for appellate bond.

IT IS FURTHER ORDERED revoking the Defendant's release conditions and remanding him to the custody of the Sheriff pending sentencing pursuant to Rule 7.2 (b).

ISSUED: Order of Confinement.

4:12 p.m. Court recesses.

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4:16 p.m. Court reconvenes with respective counsel and Defendant present.

Court reporter, Luz Franco, is present.

The jurors are all present in the jury box and by their Foreperson return into Court their verdict, which is read and recorded by the Clerk and is as follows:

“We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, find beyond a reasonable doubt the following aggravating factor:

The offenses caused physical, emotional or financial harm to the victim, or if the victim died as a result of the conduct of the Defendant, caused emotional or financial harm to the victim’s immediate family

Proven

Foreperson.”

The jurors reply that this is their true verdict.

The jury is polled at the request of counsel for the Defendant. Each juror replies that this is his/her true verdicts.

FILED: Aggravation Verdict.

Pursuant to the verdict entered, and there being no further need to retain the exhibits not received in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel causing them to be marked or their written designee.

IT IS FURTHER ORDERED that counsel take immediate possession of all exhibits referenced above.

ISSUED: Exhibit Release Form.

FILED: Exhibits Worksheet and Trial Worksheet.

4:21 p.m. Trial concludes.